

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

NEW BELVEDERE PARTNERS LLC,  
Plaintiff,  
v.  
HABITAS GROUP LTD.,  
Defendant.

Civil Action No. 1:23-cv-10584  
Hon. Katherine Polk Failla, U.S.D.J.  
Hon. Gary Stein, U.S.M.J.

**DEFAULT JUDGMENT**

**WHEREAS** this matter came before the Court on Plaintiff New Belvedere Partners LLC's ("Plaintiff") application for entry of a default judgment against Defendant Habitas Group Ltd. ("Defendant") under Fed. R. Civ. P. 55(b) and L.R. 55.2; and

**WHEREAS**, Plaintiff filed its application for entry of default judgment establishing \$11,539,733.00 in total damages, comprised of Plaintiffs' principal amount of damages, attorneys' fees pursuant to the contract, filing fees, and process service costs (*see* Dkt. #22); and

**WHEREAS**, based on the limitation of liability provision in the contract, Plaintiff seeks entry of default judgment in the amount of **\$3,000,000.00**; and

**WHEREAS**, Defendant has not filed any answer or otherwise moved with respect to Plaintiff's Amended Complaint in this action; and

**WHEREAS**, Defendant has not filed any opposition to Plaintiff's application for default judgment; and

**WHEREAS**, the Court held a hearing for Plaintiff's application on **May 9, 2024**, and Defendant failed to appear, despite having acknowledged notice of the hearing on **April 8, 2024**. (*See* Dkt. #25 ¶ 3).

**THEREFORE, IT IS ADJUDGED AND ORDERED** that Plaintiff's application for entry of default judgment is GRANTED pursuant to Fed. R. Civ. P. 55(b); and it is

**FURTHER ORDERED** that the Court declares that Defendant is in default of its obligations to pay pursuant to its contract with Plaintiff; and it is

**FURTHER ORDERED** that Defendant shall pay **\$3,000,000.00** in damages; and it is

**FURTHER ORDERED** that Defendant shall pay post-judgment interest pursuant to the rate set forth at 28 U.S.C. § 1961; and it is

**FURTHER ORDERED** that this Court retains jurisdiction over any matter pertaining to this judgment; and it is

**FURTHER ORDERED** that this case is dismissed, and the Clerk of the Court is directed to terminate all pending motions, adjourn all remaining dates, and close this case.

This is a final appealable order. *See* Fed. R. App. P. 4(a).

Dated: May 9, 2024  
New York, New York

**SO ORDERED.**



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Hon. Katherine Polk Failla  
United States District Judge